

## **REMARKS**

As a preliminary matter, claim 4 stands rejected to under 37 C.F.R. 1.75 (c) as being in improper dependent form. More specifically, claim 4 is objected to as depending from cancelled claim 3. In response, Applicants amended claim 4 to depend from claim 2, and request withdrawal of the objection on this basis.

Claims 1, 4, 8 and 11 stand rejected to under 35 U.S.C. 102(b) as being anticipated by Sri-Jayantha et al. (U.S. Patent No. 6,097,565 A). In response, Applicants amended independent claims 1, 8 and 11 to further define the control for positioning of the head, and also the predetermined area as an area on which a user cannot overwrite any data, and respectfully traverse the rejection as it applies to the amended claims.

As discussed in Amendment B filed November 18, 2005, Sri-Jayantha is different from the present application because the reference teaches to inhibit fluctuation of the orbit of the head that is caused by runout. That is, Sri-Jayantha controls the head based on information stored in reserve sectors of the discoid, and when runout is inhibited, Sri-Jayantha has no effect on the correct positioning of the head.

In contrast, the present invention has an effect on head positioning when there is no runout. The present invention sets virtual tracks having the center as the rotation shaft that the tracks are to be traced. This is different than Sri-Jayantha, where all information for the head to trace tracks is stored on a discoid. The claims are now amended to more clearly recite this difference, as well as the other features pointed out by

the Examiner in the Response to Arguments section on page 4 of the Office Action as not being recited in the claims.

More specifically, amended claim 1 now defines the servo information for determining the head position as being stored in advance on a discoid record medium. The control unit reads position conversion information, which is stored in advance in a predetermined area on concentric orbits defined by the servo information on the discoid record medium. The control unit controls the head based on position conversion information so that the head follows a virtual track having a center that is the rotation center of the discoid record medium, with the virtual track being different from the track determined by the servo information. The predetermined area is further defined as an area in which a user cannot overwrite any data. Finally, at a start-up of the recording apparatus, the control unit reads out the position conversion information that controls the head based on the read out position conversion information.

With respect to claim 8, Applicants amended the claim to define a method of starting up a recording apparatus having a discoid record medium, wherein position conversion information, based on which the head is controlled so that the head follows a virtual track having a center that is the rotation center of the discoid record medium, is stored in advance in a predetermined area on concentric orbits defined by the servo information on the discoid record medium, the virtual track being different from the track determined by the servo information, and the predetermined area as further defined as an area in which a user cannot overwrite data.

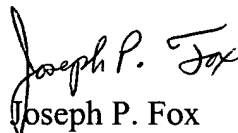
With respect to claim 11, this claim is generally amended similar to claim 1 except that the control unit reads a plurality of pieces of position conversion information, which is stored in advance in a predetermined area on concentric orbits defined by the servo information on the discoid record medium. Accordingly, the amended claims now clarify that the orbits of tracks for the head to follow vary since the head is controlled to follow the virtual tracks having a center that is the rotation center of the recording medium, and the virtual tracks are different from the tracks determined with servo information. Additionally, Applicants clarify that information for track orbit conversion cannot be overwritten by users by defining the predetermined area as an area in which a user cannot overwrite any data. Since Sri-Jayantha fails to disclose or suggest these features, as now recited in the amended claims, withdrawal of the §102(b) rejection is respectfully requested.

For all of the foregoing reasons, Applicants submit that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By



Joseph P. Fox  
Registration No. 41,760

April 19, 2006  
300 South Wacker Drive  
Suite 2500  
Chicago, Illinois 60606  
(312) 360-0080  
Customer No. 24978